

MINUTES OF REGULAR MEETING  
SUGAR CITY COUNCIL  
THURSDAY, JULY 8, 2021

Presiding: Mayor Steven Adams

Meeting Via Internet and at City Hall Convened at 6:30 p.m.

Prayer: Councilwoman Ball

Pledge of Allegiance: Mayor Adams

Present at City Hall and Online: Mayor Steven Adams; Councilors Joy M. Ball, Glenn Dayley, and Catherine Nielsen; Clerk-Treasurer Wendy McLaughlin; City Attorney Chase Hendricks; Public Works Director Arlynn Jacobson; City Building Inspector and P&Z Administrator Quinton Owens; Planning & Zoning Chairman Dave Thompson; Community Development Specialist Kurt Hibbert; Madison County Emergency Manager Robert Kohler; Citizens Michelle Adams, Lawrence Nielsen, and others who may have joined electronically but not identified. Councilwoman Fogle was excused.

**CONSENT AGENDA:** The Accounts Payable report was removed from the Consent Agenda.

**MOTION:** It was moved by Councilwoman Nielsen and seconded by Councilman Dayley to approve the minutes of 6-10-21, 6-24-21, 6-30-21, 7-6-21, and the Treasurer's report; motion carried.

**MOTION:** It was moved by Councilwoman Ball and Seconded by Councilwoman Nielsen to approve the Accounts Payable report with the Historical Sugar City coloring books taken from the Historic Preservation budget instead of the Sugar Days budget; motion carried.

**LOCAL EMERGENCY PLANNING:** Madison County Emergency Manager Robert Kohler addressed the council. His one-man office is split 50/50 between the Madison Fire Department and Madison County. He will deliver digital and hard copies of the updated Emergency County Mitigation Plan. The Madison Fire Department has also adopted a wildfire protection plan which will allow them to apply for grants to recoup costs from fighting fires.

Mr. Kohler urged the city to adopt a Continuation of Operation Plan which is mandated by state and federal governments and necessary for grants. Fireworks and fire risk were also discussed.

**1994 USDA WATER/SEWER BOND PAYOFF:** Clerk-Treasurer McLaughlin explained that the 1994 USDA bank account for the existing water/sewer bond and the bank account for the reserve had enough money to pay off the 1994 bond with some left over to help with interest on the new bond.

**MOTION:** It was moved by Councilman Dayley and Seconded by Councilwoman Ball to pay off the 1994 USDA water/sewer bond and use the left over money to pay the interest on the new bond; motion carried.

**PUBLIC COMMENT:** Councilwoman Nielsen (speaking for herself, not as president of the city council) addressed the public and read an open letter to clarify the last two council meetings (see

Attachment #1).

**PUBLIC WORKS REPORT:** Public Works Director Arlynn Jacobson reported on the following items:

**Street Maintenance** – The city, working with Madison County, completed chip sealing S 7<sup>th</sup> West to County Line Road. Additional streets were added to the slurry seal project since the chip sealing came in under budget. American Pavement will start next week. The project is well organized so that citizens will be notified, maps posted, and strategic road closings to maximize citizen access.

**City Notification App** – Mr. Jacobson reported that he used the new city app to notify citizens of the road closures next week for the slurry seal. Only a few have downloaded the free app so far. Some incentives may be needed for awareness and compliance.

**Well House #5 Update** – A brick has fallen off the new well house and the SCADA system is still not working correctly – the project seems to be at a standstill. Back up boosters for the water pumps are still needed for around \$50,000. Grants may help with the boosters.

**PLANNING & ZONING REPORT:** Planning and Zoning Chairman Dave Thompson reported on the following items:

**Public Hearing** – The commission has completed the landscaping, buffering, and open space definitions and is only waiting for the final modifications to set a public hearing date.

**New Developers** – Several interests similar to the Old Farm Estates proposed development have surfaced.

**OLD FARM ESTATES MASTER PLAN AND DEVELOPMENT AGREEMENT:** The city plans on a tight timeline to process the requested changes for the Old Farm Estates development. A public forum may be planned as well for the developers and the public to meet and discuss the Old Farm Estates Master Plan and proposed projects. Staff reviews will be completed and reports distributed to the council and developers by tomorrow. A public hearing date will be set as soon as reasonable. Planning and Zoning plan on getting their recommendations to the council the day after the public hearing. The council will plan on a special meeting for the Monday following Thursdays public hearing.

**OLD FARM ESTATES DIVISION #4 FINAL PLAT:** The city and applicant have agreed to put the Old Farm Estates Division #4 Final Plat on hold indefinitely for now.

**COUNCIL SALARIES INCREASE ORDINANCE:** The ordinance to raise council salaries from \$200/month to \$400/month will be added to the Calendared Items on the next agenda for a second and third discussion to give council time to compare other cities and show reasonableness. The Association of Idaho Cities (AIC) is working on a survey which they will share with all participating cities. Council and mayor salary revisions must be done by a city ordinance.

## **GENERAL BUSINESS**

**Audit Deficiency Policies:** Tabled until next council meeting.

**Grant Writing:** The city approved using grant writers to procure grants for the city. Councilwoman Nielsen reported that there are grant writing groups available that use several different sources to help cities procure grants. The information came from an AIC training class

on grant writing. The grant writers are not paid unless a grant is received. The city could use several grants to help with different projects. The Historic Preservation Commission is looking for ways to get a city museum.

**CALENDARED ITEMS:**

**Third Discussion – Infraction Penalty Revision:**

**ORDINANCE NO. 365\_2021 INFRACTION PENALTY REVISIONS.** The council approved the infraction penalty revision ordinance.

**“UNSPECIFIED PENALTY INFRACTION REVISIONS.”**

It was moved by Councilwoman Nielsen and seconded by Councilwoman Ball to adopt this ordinance with number correction. Thereupon, the clerk called roll upon the motion.

Those voting aye: Councilors Ball, Dayley, and Nielsen

Those voting nay: None

Councilwoman Fogle was excused

Ordinance No. 365\_2021 was thereupon declared by the mayor to have been duly passed by not less than two-thirds of the council. The clerk will publish Ordinance No. 365\_2021 in summary or full immediately in at least one issue of the *Standard Journal*, a newspaper published in the city of Rexburg, Madison County, Idaho.

**Third Discussion – Constitutional City**

**ORDINANCE NO. 366\_2021 CONSTITUTIONAL CITY.** The council approved the proposed Constitutional City ordinance after removing “sanctuary” from the title and document.

**“AN ORDINANCE ENTITLED CONSTITUTIONAL CITY TO AMEND THE CITY CODE TO ADD A NEW SECTION UNDER TITLE 1 ADMINISTRATION, CHAPTER 1 OFFICIAL CITY CODE, AS 1-1-11, PROVIDING FOR PROTECTION OF INDIVIDUAL CONSTITUTIONAL RIGHTS.”**

It was moved by Councilwoman Nielsen and seconded by Councilwoman Ball to adopt this ordinance. Thereupon, the clerk called roll upon the motion.

Those voting aye: Councilors Ball, Dayley, and Nielsen

Those voting nay: None

Councilwoman Fogle was excused

Ordinance No. 366\_2021 was thereupon declared by the mayor to have been duly passed by not less than two-thirds of the council. The clerk will publish Ordinance No. 366\_2021 in summary or full immediately in at least one issue of the *Standard Journal*, a newspaper published in the city of Rexburg, Madison County, Idaho.

## **MAYOR & COUNCIL REPORTS:**

**AIC Annual Training Report:** Several members of the council along with the mayor attended the annual Association of Idaho Cities (AIC) training meeting in June. The conference was well run, informative, and a good way to network. The mayor suggested that each get their own hotel accommodations in the future instead of using the conference hotels. He would like to see a city policy for the council to approve for travel and training reimbursements.

**4<sup>th</sup> of July Float Report:** Councilwoman Nielsen reported the 4<sup>th</sup> of July float was a success. The community was very supportive. However, there is more need of help to put together the float and take it down. A Sugar City sign to identify the float is needed for next year. The city may look at purchasing a trailer that can be used for the float. Pocock Trucking loaned the city a trailer for the parade. The rules for throwing candy were not clear and several did not comply.

**Sugar Days Report:** Councilman Dayley reported that lots of games, inflatables, entertainment, prizes, and dancing, will be available to the community - all for free! There are several good sponsors that will be highlighted at the event. However, it would be nice to have more vendors. The city has posted the event on Facebook, posters, and flyers. Stone's Town & Country will sponsor and help with the breakfast again this year. A shooting range with airsoft guns is planned for next year.

**Historic Preservation Commission:** Councilwoman Ball reported that the commission is working on ideas for a future museum in Sugar City.

### **Tree and Beautification Committee:**

#### **Yard Awards:**

- Craig and Colleen Bean
- Brian and Kami Howard
- Kent and Rhoda Hughes
- Ron and Kathy Cross

#### **Garden Awards:**

- Jon and Angie Burnham
- Lorin and Janelle Hales
- Dwayne and Lynn Bean
- Bill and Leola Barnhill

Meeting adjourned at 9:05 p.m.

Signed: \_\_\_\_\_  
Steve Adams, Mayor

Attested: \_\_\_\_\_  
Wendy McLaughlin, Clerk-Treasurer

## Open Letter to the Citizens of Sugar City

From Councilwoman Nielsen (speaking for myself, not as President of the City Council)

I feel that there needs to be some clarification about the last two city council meetings. The meeting of June 30<sup>th</sup> became so negative and unprofessional it left me completely stunned. As president of the council and with agreement of the council I called a special meeting (not emergency meeting) to give the council the opportunity to continue with their discussion.

There are many things about the development that the council or planning and zoning cannot control because it has previously been mandated by past ordinances and agreements.

For those of you that have not lived in the community for many years this is information you should be aware of. On January 16, 2016, Ordinance 312\_2016 was passed by the then newly elected city council. This is the ordinance that increased the population density for zones within Sugar City. Unless this ordinance is replaced by a new ordinance that lowers the population density the council cannot change density at will.

After being elected to this position I indicated to the chair of Planning and Zoning that if population density was to be lowered Planning and Zoning needed to bring a new ordinance to the City Council. I reiterated this concern a second time with a copy of Ordinance 312 and to date it has not been brought forward. Townhomes, Twin Homes and Condos are normally considered single-family due to their individual ownership, however code as presently consider them multi-family an issue that can be corrected.

The motion made on Tuesday night was not to go forward without going through the process of planning and zoning. It was to agree in **CONCEPT** to the motions before us for the process to continue through the Planning and Zoning process which includes staff review, public hearing and Findings and Facts, then presentation to the Council. CONCEPT is defined in the Merriam-Webster Dictionary as something conceived in the mind, thought, and notion.

I would like to see the city move forward, I would like to see citizen participation in the process and as a member of the council I would like to make sure the process is transparent so wise decisions can be made. All of us have differing opinions which can be debated with civility as part of the process.



Councilwoman Catherine Nielsen  
July 8, 2021

Note:

Code for Special Meetings 6-1-2-B

Special Meetings: The mayor or council president may call special meetings of the city council at any time. A majority of the members of the full council also shall have power to call a special council meeting.